

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

SAHAL SAHAL,

*Plaintiff,*

v.

BUTLER COUNTY PRISON, *et al,*

*Defendants.*

Civil Action No. 2:23-cv-2090

Hon. William S. Stickman IV

Hon. Maureen P. Kelly

**ORDER OF COURT**

*Pro se* Plaintiff Sahal Sahal, previously a prisoner in the custody of the Butler County Prison in Butler, Pennsylvania, and now in federal custody, brought this action against the prison and its employees. Due to multiple deficiencies throughout this case, Magistrate Judge Maureen P. Kelly issued deficiency orders. (ECF Nos. 3, 7). Plaintiff eventually complied, and Magistrate Judge Kelly issued a Case Management Order on June 11, 2024, after which the case moved to the discovery phase. (ECF No. 22). Plaintiff failed to file his Pretrial Statement or Motion for Summary Judgment, and he failed to respond to Magistrate Judge Kelly's show case order. (ECF No. 25). He also failed to respond to Defendant's motion to dismiss. (ECF Nos. 29-31). Magistrate Judge Kelly issued a Report and Recommendation in which, after considering and weighing the *Poulis*<sup>1</sup> factors, she recommended dismissal of the case without prejudice due to Plaintiff's failure to prosecute. (ECF No. 33).

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<sup>1</sup> In *Poulis v. State Farm Fire & Casualty Co.*, 747 F.2d 863 (3d Cir. 1984), the United States Court of Appeals for the Third Circuit set forth a six-factor balancing test to guide a district court in determining whether a case should be dismissed for failure to prosecute.

The parties were provided the opportunity to file objections, and no objections have been filed. Therefore, the Court hereby ADOPTS Magistrate Judge Kelly's Report and Recommendation as its Opinion. It concurs with her thorough legal analysis and conclusions.

AND NOW, this 7 day of May 2025, IT IS HEREBY ORDERED that all claims against Defendants are DISMISSED WITHOUT PREJUDICE for failure to prosecute. IT IS FURTHER ORDERED that the pending motions to dismiss (ECF Nos. 29 and 32) are TERMINATED AS MOOT.

BY THE COURT:

A handwritten signature in black ink, appearing to read "W. S. Stickman IV", written over a horizontal line.

WILLIAM S. STICKMAN IV  
UNITED STATES DISTRICT JUDGE